



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R. MAHADEVAN

Cr1.O.P.(MD) No.24156 of 2016

1.S. Muthuraja
2.A. Rajkumar
3. K. Karunakaran

... Petitioners/ Accused 4,5&7

-Vs-

The State represented by
The Inspector of Police,
Manamadurai

(Cr.No.568 of 2016)

... Respondent/Complainant

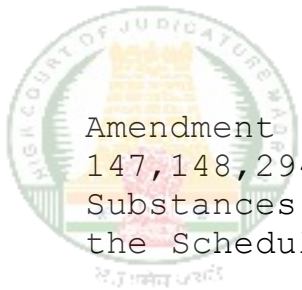
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Special Court for exclusive trial of cases under SC/ST (Prevention of Atrocities) Act, 1989, Sivagangai, in Crime No. 568 of 2016 on the file of the respondent police to accept the surrender of these petitioners and to pass order on the same day in the bail applications on merits.

For Petitioners	: Mr.J. William Christopher
For Respondents	: Mr.P. Kandasamy
	Govt. Advocate (Cr1.Side)

O R D E R

This petition has been filed seeking a direction to the Special Court for exclusive trial of cases under SC/ST (Prevention of Atrocities) Act, 1989, Sivagangai, in Crime No. 568 of 2016 on the file of the respondent police to accept the surrender of these petitioners and to pass order on the same day in the bail applications on merits.

2.The sum and substance of the complaint is that a wordy quarrel arose between the petitioners and the defacto complainant, the petitioners attacked the defacto complainant by mentioning their caste name and caused simple injuries. The said complaint has been registered in Crime No.568 of 2016 for the alleged offences under Sections 147,148,294(b), 153A, 307 of IPC r/w. 3(a) Explosive Substances Act, Section 3 of TNPPDL Act and Section 3(2) (va) of the Scheduled Caste and Tribes (Prevention of Atrocities)



Amendment and Ordinance Act 2014 and later @ under Sections 147, 148, 294(b), 153A, 307, 212 of IPC r/w. 3(a) Explosive Substances Act, Section 3 of TNPPDL Act and Sections 3(2)(va) of the Scheduled Caste and Tribes (Prevention of Atrocities) Act.

3. Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in the case due to previous motive and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

4. Learned Government Advocate (Crl. Side) appearing for the respondent would submit that the injured has already been discharged from the hospital.

5. Having regard to the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No. 994 of 2016 and consider bail application of the petitioners and dispose of the same on merits and in accordance with law, on the same day of their surrender.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1. The Special Court for exclusive trial of cases under SC/ST (Prevention of Atrocities) Act 1989, Sivagangai.
2. The Inspector of Police, Manamadurai Police Station, Manamadurai.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s. J. William Christopher, Advocate in SR.No.82
Trp

CSL/MPA-EM/SAR-III/02.01.2017 : 2P/5C

Crl.O.P.(MD) No.24156 of 2016

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